

REMARKS

Favorable reconsideration and allowance of the present application is respectfully requested.

Currently, claims 21-47, including independent claims 21, 33, and 46, are pending in the present application. As an initial matter, the Office Action indicated that dependent claims 12 and 13 would be allowable if rewritten into independent claim format. In response, Applicants have rewritten claim 12 as independent claim 46. Applicants submit that claims 46-47 are thus in condition for allowance.

Original independent claims 1, 15, and 18 were rejected in the Office Action under 35 U.S.C. §102(b) in view of U.S. Patent No. 4,859,759 to Maycock, et al. Maycock, et al. provides a siloxane containing at least one benzotriazolyl/tetraalkylpiperidyl substituent having the formula S-Z, wherein S is a siloxane moiety and Z is a pendant benzotriazolyl/tetraalkylpiperidyl group attached by means of a divalent connecting group to a silicon atom. (Col. 9, ll. 4-10). Such compounds are useful as additives in surface-segregatable, melt-extrudable thermoplastic compositions.

However, Maycock, et al. fails to disclose one or more limitations of the present claims. For instance, independent claims 21 and 33 require a polyorganosiloxane having a particular formula. However, the siloxane of Maycock, et al. requires the presence of a pendant benzotriazolyl/tetraalkylpiperidyl group attached by means of a divalent connecting group to a silicon atom, which is excluded by the formula of claims 21 and 33. The differences between the siloxane of Maycock, et al. and the polyorganosiloxane of the present claims are not trivial, particularly in light of the vastly

different purpose of each respective siloxane. The siloxane of Maycock, et al., for instance, is specifically designed to absorb UV radiation and inhibit actinic radiation-induced degradation. (Col. 8, ll. 56-68). To the contrary, the presently claimed polyorganosiloxane is designed to improve the processability of elastomeric compositions, e.g., by reducing or eliminating die-lip fouling and wraps caused by drool from the die, lowering the melt processing temperature, and increasing processing speed. Thus, for at least the reasons set forth above, Applicants respectfully submit that the present claims patentably define over Maycock, et al.

Besides the above-mentioned rejection, original independent claims 1, 15, and 18 were also rejected in the Office Action under 35 U.S.C. §102(b) in view of U.S. Patent No. 5,413,655 to Nohr, et al. Nohr, et al. is directed to a composition used to prepare nonwoven webs with either improved tensile strength characteristics or long-term hydrophilicity or wettability. More specifically, the composition contains a "first component" that is a polysiloxane polyether and a "second component" that is fumed silica. (Col. 6-8). The weight ratio of the first component to the second component is generally in the range of from about 20 to about 300.

Notwithstanding the contentions set forth in the Office action, however, Nohr, et al. fails to disclose one or more limitations of the present claims. For example, as noted above, independent claims 21 and 33 specifically require that the melt-extrudable composition include an elastomeric styrenic block copolymer. Examples of such block copolymers may include, for instance, styrene-ethylene/propylene-styrene, styrene-ethylene/propylene-styrene-ethylene/propylene, styrene-ethylene/butylenes-styrene-

ethylene/butylenes, styrene-ethylene/butylenes-styrene, styrene-ethylene/propylene-styrene, and so forth.

Nohr, et al. simply does not disclose the use of an polyorganosiloxane in conjunction with an elastomeric styrenic block copolymer. Nohr, et al. indicates that a nonwoven web may be formed from a "thermoplastic polyolefin." (Col. 6, ll. 31-54). Although Nohr, et al. cursorily mentions that random and block copolymers may be prepared, there is no disclose of the a "styrenic block copolymer", much less one that is considered "elastomeric." In fact, all six Examples set forth in Nohr, et al. employ polypropylene as the thermoplastic polyolefin. Not only does Nohr, et al. fail to disclose the use of the claimed elastomeric styrenic block copolymer, but it also fails to recognize the unique benefits achieved by combining the claimed elastomeric styrenic block polymer with the polyorganosiloxane. Among other things, the claimed polyorganosiloxane has been discovered to lower the extrusion temperature of elastomeric styrenic block copolymers to aid in the extrusion process. (See e.g., Appl. p. 3, ll. 10-14). In Nohr, et al., however, the additive composition is used with the polyolefin polymer to simply increase its tensile strength or improve wettability. Thus, for at least the reasons set forth above, Applicants respectfully submit that the present claims patentably define over Nohr, et al.

As such, at least for the reasons set forth herein, Applicants respectfully submit that the present application is in complete condition for allowance and favorable action, is therefore requested. The Examiner is invited and encouraged to telephone the undersigned, however, should any issues remain after consideration of this amendment.


Appl. No. 10/724,654
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Please charge any additional fees required by this Amendment to Deposit

Account No. 04-1403.

Respectfully requested,

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